

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF VIRGINIA
HARRISONBURG, VIRGINIA

UNITED STATES OF AMERICA

v.

WARREN EVANS, Jr.
(a/k/a "Charlie's brother")

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CASE NO. 5:15mj00023

A F F I D A V I T

I, Thomas F. Hickey, being duly sworn, depose and state as follows:

1. I have been a Special Agent with the United States Drug Enforcement Administration (DEA) since February 1999. I am currently assigned to Enforcement Group 44, Winchester Resident Office, of the DEA Washington Division Office and am co-located with the Northwest Virginia Regional Drug and Gang Task Force (NWVRDGTF). I have received training in all areas of narcotics investigations including search and seizure laws and statutes pertaining to enforcement of the Controlled Substances Act. Since becoming a law enforcement officer, I have either conducted or assisted other law enforcement officers in conducting numerous narcotics investigations that have resulted in the arrest and conviction of numerous individuals.
2. This affidavit is submitted in support of a **Criminal Complaint** and **Arrest Warrant** charging **WARREN EVANS, Jr.** (a/k/a "**Charlie's brother**") with one count of, from a date unknown but continuing through on or about October 17, 2014, Conspiracy to Distribute Heroin, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 846 and Sections 841(a)(1) and 841(b)(1)(C).

3. The facts and information contained in this affidavit are based upon my personal knowledge as well as the observations of other law enforcement officers involved in this investigation. All observations that were not personally made by me were related to me by the persons who made such observations or I have learned about them through their reports. This affidavit contains information necessary to support probable cause for this application. It is not intended to include each and every fact and matter observed by me or known to the government.
4. In 2013 and 2014, the Winchester Resident Office (WRO) and the NWVRDGTF noted the increase in both fatal heroin overdose and non-fatal heroin overdose cases. As a result of the investigations, a common Baltimore-based heroin source of supply for multiple overdoses, both fatal and non-fatal, was identified as “**Charlie**”. These investigations included numerous interviews, review of many records, and contacts with law enforcement elsewhere in the region. The WRO/NWVRDGTF learned that “**Charlie’s**” drug trafficking organization included numerous Winchester area sub-distributors and users, as well as sub-distributors and users in the Martinsburg, WV area. The WRO/NWVRDGTF identified “**Charlie**” as Christopher Rojuan **GILES (GILES)**. Multiple sub-distributors and users identified “**Charlie’s brother**” as accompanying **GILES** when they purchased heroin and facilitating those transactions.
5. In October 2014, SA Hickey and NWVRDGTF Det. Andrew Perlick interviewed a Cooperating Witness (CW1). CW1 provided self-incriminatory statements to SA Hickey, in addition to other information that has been corroborated by other witnesses involved in this investigation. CW1 stated that about one year ago, he/she began driving from the area of Winchester/Frederick County, VA to Baltimore with other associates and went to “**Charlie**”

in Baltimore to purchase heroin that they brought back to the Winchester/Frederick County, VA area. CW1 was shown a photograph of **GILES**, whom he/she identified as “**Charlie**”. CW1 stated that initially he/she would purchase 20g of heroin at least once a week from **GILES**, and then was purchasing at least 30g-35g of heroin at least approximately every two weeks from **GILES** and had purchased 100g-110g of heroin at a single time from **GILES**. CW1 stated that the last time he/she went to **GILES** was in early October 2014, and he/she purchased 35g of heroin. CW1 stated that **GILES** was unreachable for about 1-2 months around March/April 2014, and when **GILES** got back, an individual **GILES** identified as his “brother” accompanied him to the drug transactions on a regular basis. CW1 reported “**Charlie’s brother**” would count the money and sometimes pass drugs through the window and “**Charlie’s brother**” was always in the passenger seat. CW1 said that when he/she arrived in Baltimore to purchase drugs, there would be other cars also waiting to meet **GILES**, and they all had Virginia and West Virginia license plates. CW1 was shown a photograph of **WARREN EVANS, Jr.**, whom he/she identified as “**Charlie’s brother**”.

6. In November 2014, SA Hickey interviewed a Cooperating Witness (CW2). CW2 provided self-incriminatory statements to SA Hickey, in addition to other information that has been corroborated by other witnesses involved in this investigation. CW2 was shown a photograph of **GILES**, whom he/she identified as “**Charlie**” and his/her source of supply for heroin. CW2 stated he/she was driving with others to **GILES** in Baltimore beginning in approximately February 2013 and purchasing at least .5g-2g at a time, at least 3-4 times per week, through mid-October 2014 (with the exception of one month around April 2014), including at least one purchase of 10g of heroin. At least some of these drugs were returned to and distributed in the Winchester/Frederick County, VA area.

7. CW2 was shown a photograph of **WARREN EVANS, Jr.**, whom he/she identified as “**Charlie’s brother**”, who rode with **GILES**. CW2 said that he/she was not sure if he was his real brother, but **GILES** referred to him as his brother and said he was family. CW2 said that “**Charlie’s brother**” would sell heroin with **GILES** and that “**Charlie’s brother**” would take the money from them, count the money, and always give it to **GILES**, as well as give CW2 the heroin. CW2 stated that depending on which side of the car **GILES** pulled up on, “**Charlie’s brother**” might do more.
8. In November 2014, SA Hickey and NWVRDGTF SA Mark Quince interviewed a Cooperating Witness (CW3). CW3 provided self-incriminatory statements to SA Hickey, in addition to other information that has been corroborated by other witnesses involved in this investigation. CW3 is an associate of CW2. CW3 stated that in the fall of 2013, CW3 and CW2 began going to **GILES** a/k/a “**Charlie**” to purchase heroin in Baltimore, MD. CW3 recalled they were going to **GILES** 4-5 times per week and purchasing 1g-1.5g of heroin each time at that time. CW3 said that the most heroin they purchased from **GILES** was 10g. CW3 stated that on the day of their 10g heroin purchase, the guy waiting on **GILES** next to them purchased 30g of heroin and 1.5ozs of crack cocaine. CW3 stated that they went to **GILES** at this rate until he quit dealing for a little in the spring of 2014, but that **GILES** was back at it a few weeks later. CW3 stated that there could be 30 cars in the parking lot waiting for someone to deliver heroin to them when he/she arrived after calling **GILES**, and they all had West Virginia and Virginia license plates. At least some of these drugs were returned to and distributed in the Winchester/Frederick County, VA area. CW3 stated that he/she would see **GILES** with gallon sized bags of heroin on a regular basis. CW3 also stated that **GILES** would sell crack cocaine and he/she purchased crack cocaine from **GILES**.

9. In April 2015, CW3 was shown a photograph of **WARREN EVANS, Jr.**, and was asked if he/she recognized him. CW3 identified the photograph as “**Charlie’s brother**”, who rode with **GILES**. CW3 said that he/she was not sure if he was his real brother, but **GILES** referred to him as his brother. CW3 said that **WARREN EVANS, Jr.** would sell heroin and crack cocaine with **GILES** and that he would take the money from them, count the money, and give it to **GILES**, as well as give them the heroin and crack cocaine. CW3 stated **WARREN EVANS, Jr.** was always with **GILES** and recalled several encounters where **WARREN EVANS, Jr.** would serve them and **GILES** would be serving someone else on the other side of the vehicle.
10. In July 2014, SA Hickey and NWVRDGTf SA Josiah Schiavone interviewed a Cooperating Witness (CW4). CW4 provided self-incriminatory statements to SA Hickey, in addition to other information that has been corroborated by other witnesses involved in this investigation. CW4 stated that he/she went from the area of Winchester/Frederick County, VA, to “**Charlie**” in Baltimore, MD and purchased heroin and crack cocaine that he/she brought back to the Winchester/Frederick County, VA area. CW4 was shown a photograph of **GILES**, whom he/she identified as “**Charlie**”, and identified him as his/her source of supply for heroin and crack cocaine. CW4 said that he/she met **GILES** about 1.5yrs ago. CW4 stated that he/she would go to **GILES** a few times per week and would average 5g purchases of heroin each time. CW4 said that he/she was also buying cocaine HCl or crack cocaine and would buy an 8-ball (approximately 3.5 grams) of each when he/she went and would purchase about a 1/4oz each week. CW4 stated that he/she would use about half of it and sell half to make the money back.

11. In February 2015, CW4 was shown a photograph of **WARREN EVANS, Jr.**, whom he/she identified as "**Charlie's brother**" and said at least 50% of the deals he/she did with **GILES** were passed through **WARREN EVANS, Jr.**, window to window.
12. In April 2014, SA Hickey and NWVRDGTF SA Josiah Schiavone interviewed a Cooperating Witness (CW5). CW5 provided self-incriminatory statements to SA Hickey, in addition to other information that has been corroborated by other witnesses involved in this investigation. CW5 identified "**Charlie**", aka "**C**" as his/her primary heroin source of supply in Baltimore, MD, for drugs that he/she brought back to the Winchester/Frederick County, VA area. CW5 was shown a photograph of **GILES** which CW5 identified as "**Charlie**". CW5 said about 2mos prior he/she was going to **GILES** 1-2 times per week and buying 3g each time. In a subsequent interview, CW5 stated that "**Charlie's brother**" was present on several occasions with **GILES**. CW5 said that "**Charlie's brother**" would bag the heroin up in the quantities he/she ordered, and then conduct the transactions. CW5 was shown a photograph of **WARREN EVANS, Jr.**, whom he/she identified as "**Charlie's brother**".
13. In June 2014, SA Hickey and NWVRDGTF SA Josiah Schiavone interviewed a Cooperating Witness (CW6). CW6 provided self-incriminatory statements to SA Hickey, in addition to other information that has been corroborated by other witnesses involved in this investigation. CW6 stated that he/she went from the area of Winchester/Frederick County, VA, to "**Charlie**" in Baltimore, MD and purchased heroin and crack cocaine that he/she brought back to the Winchester/Frederick County, VA area. CW6 was shown a photograph of **GILES**, whom he/she identified as "**Charlie**" and "**C**," and identified him as his/her primary source of supply for heroin and crack cocaine in March 2014. Other evidence has

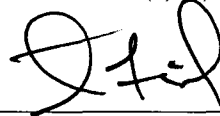
corroborated **GILES** as the source of heroin for at least one fatal drug overdose specifically involving CW6, as well.

14. In a March 2015 interview, CW6 stated he/she would ride to Baltimore with other individuals and they would go to **GILES** together. CW6 described **GILES** as a “one stop shop”, in that he/she could purchase heroin, cocaine HCl, and crack cocaine from **GILES**. CW6 said that many cars would be in the parking lot with Virginia and West Virginia license plates waiting to purchase heroin, cocaine HCl and/or crack cocaine from **GILES** when CW6 was there.
15. CW6 was shown a photograph of **WARREN EVANS, Jr.** whom he/she said looks like “**Charlie’s brother**”. CW6 stated when he/she purchased heroin, cocaine HCl and/or crack cocaine from **GILES**, he remembered that “**Charlie’s brother**” was always present as well except for on two occasions. CW6 said “**Charlie’s brother**” spoke over **GILES** to set the price of the heroin, as well as sold/handed over drugs to CW6 and took and counted the money.
16. On two dates in March 2014, law enforcement completed controlled purchases from **GILES** and **WARREN EVANS, Jr.** On each occasion, a Confidential Informant (CI) contacted **GILES** and arranged to purchase heroin, 14g on the first occasion and 13g on the second occasion. The CI contacted **GILES** prior to leaving the Martinsburg, WV area and again near Exit 8 on I-70 in Maryland, consistently with the modus operandi from Winchester/Frederick County, VA described by all of the CWs described above. The CI was instructed by **GILES** to meet him at the Target on Reisterstown Road, in Pikesville, MD. The CI stated he/she arrived at the Target, waited a short time, and **GILES** and **WARREN EVANS, Jr.** met with the CI. The CI stated he/she handed the money (\$1540.00 and

\$1430.00) to the passenger (**WARREN EVANS, Jr.**). Surveillance was able to see **WARREN EVANS, Jr.** counting the money and observed the driver (**GILES**) hand **WARREN EVANS, Jr.** the heroin to give to the CI. **WARREN EVANS, Jr.** gave him/her the heroin. The CI then departed the area and met with investigators and turned over the heroin. Each transaction was videotaped by law enforcement and shows **GILES** and **WARREN EVANS, Jr.** conducting the heroin distribution.

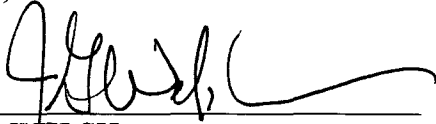
17. On May 2, 2014, a search warrant was executed by the Baltimore County Police Department (BCPD) at a residence linked to **GILES** in Pikesville, MD. **GILES** was present at the location. Approximately \$58,000.00 was seized by BCPD at this residence where **GILES** was staying.
18. In addition, a consent search was performed by BCPD at an apartment linked to **GILES** in Baltimore, MD. Present at the residence were **WARREN EVANS, Jr.** and another individual. As a result of the search, BCPD seized approximately 93 grams of suspected cocaine HCl, approximately 10 grams of suspected heroin, three handguns, paperwork belonging to **GILES**, and approximately \$4,000.00. **WARREN EVANS, Jr.** was interviewed and stated his friend "Chris" was letting him and the second individual stay in this apartment. Initial investigation shows one of the handguns seized by BCPD was reported stolen from a residence in Frederick County, VA in December 2013.
19. Winchester/Frederick County, VA is within the Western District of Virginia. The quantities of heroin described in this Affidavit are known to me, based on my training and experience, to be distribution quantities of heroin.
20. Based on the foregoing facts, there is probable cause to believe that from a date unknown but continuing through on or about October 17, 2014, the defendant, **WARREN EVANS, Jr.**,

did knowingly and intentionally engage in a conspiracy to distribute heroin, a Schedule I Controlled Substance, in the Western Judicial District of Virginia and elsewhere, in violation of Title 21, United States Code, Sections 846 and 841(a)(1).



Thomas F. Hickey
Special Agent
Drug Enforcement Administration

SWORN AND SUBSCRIBED TO
BEFORE ME THIS 14th DAY
OF APRIL, 2015.



JAMES G. WELSH
UNITED STATES MAGISTRATE JUDGE
Harrisonburg, Virginia